



ATTORNEY DOCKET NO. ST3001-0031

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Aki HIRAMOTO

Application No.: 10/691705

Filed: October 24, 2003

For: OPTICAL SEMICONDUCTOR DEVICE )

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)  
) T.C./Group Art Unit: not yet assigned

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) Examiner: not yet assigned  
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Commissioner for Patents  
Washington, D.C. 22313

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed on or within three months of the filing date of the above-referenced application or prior to receipt of a first Office Action.

A copy of each listed foreign document is attached.

Japanese Patent Application No. 09-234728, English language abstract enclosed.

Japanese Patent Application No. 2000-249811, English language abstract enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitutes "prior art." If it should be determined that the listed documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such document. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed

**PATENT**  
**Attorney Docket No.: ST3001-0031**

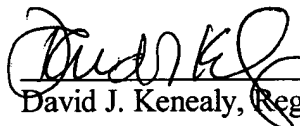
documents, should the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Applicant's representative's Deposit Account No. 50-2985. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. §1.136(a)(3).

If there are any fees due in connection with the filing of this paper, please charge the fees to our Deposit Account No. 50-2985. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

**The Kenealy Law Office, LLC**

  
David J. Kenealy, Reg. No. 40,411

Date: January 27, 2004

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| <b>INFORMATION DISCLOSURE CITATION</b><br>(Use several sheets if necessary)<br><b>PTO Form 1449</b> | Attorney Docket No.<br>ST3001-0031 | Serial No.<br>10/691705   |
|   | Applicant<br>Aki HIRAMOTO          |                           |
|   | Filing Date<br>October 24, 2003    | Group<br>Not yet assigned |

**U.S. PATENT DOCUMENTS**

| *Examiner Initial | Document Number | Date            | Name         | Class | Sub Class | Filing Date |
|-------------------|-----------------|-----------------|--------------|-------|-----------|-------------|
|                   | 6,274,924       | August 14, 2001 | Carey et al. | 257   | 676       |             |
|                   |                 |                 |              |       |           |             |
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| FOREIGN PATENT DOCUMENTS |                  |                  |         |       |           |                    |    |  |
|--------------------------|------------------|------------------|---------|-------|-----------|--------------------|----|--|
|                          | Document Number  | Date             | Country | Class | Sub Class | <u>Translation</u> |    |  |
|                          |                  |                  |         |       |           | YES                | NO |  |
|                          | JP-A 09-234728   | March 16, 1999   | Japan   |       |           | w/abst             |    |  |
|                          | JP-A-2000-249811 | January 31, 2002 | Japan   |       |           | ract               |    |  |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) |  |  |
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| Examiner   | Date Considered |
| Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through Citation if not in conformance and not considered. Include copy of this form with next communication to Applicant. |                 |